

City Council Meeting Minutes

**June 2, 2015
City Hall, Council Chambers
749 Main Street
7:00 PM**

Call to Order – Mayor Muckle called the meeting to order at 7:00 p.m.

Roll Call was taken and the following members were present:

City Council: *Mayor Robert Muckle, Mayor Pro Tem Hank Dalton
City Council members: Susan Loo, Jay Keany,
Chris Leh, Jeff Lipton and Ashley Stolzmann*

Staff Present: *Malcolm Fleming, City Manager
Kurt Kowar, Public Works Director
Aaron DeJong, Economic Development Director
Troy Russ, Planning & Building Safety Director
Scott Robinson, Planner II
Carol Hanson, Deputy City Clerk*

Others Present: *Sam Light, City Attorney*

PLEDGE OF ALLEGIANCE

All rose for the pledge of allegiance.

APPROVAL OF AGENDA

Mayor Muckle called for changes to the agenda and hearing none, moved to approve the agenda, seconded by Council member Loo. All in favor.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None heard.

APPROVAL OF THE CONSENT AGENDA

Mayor Muckle noted there were Business Assistance Agreements on the Consent Agenda. These Agreements are very consistent with what is normally included in the

agreements. He asked if there were any objections and seeing none entered the following motion:

MOTION: Mayor Muckle moved to approve the consent agenda seconded by Mayor Pro Tem Dalton. All were in favor.

- A. *Approval of Bills***
- B. *Approve Resolution No. 32, Series 2015 - A Resolution Approving a Parking Lot Lease Agreement by and between the City of Louisville and Kokoplaza Partners, LLC***
- C. *Approve Resolution No. 33, Series 2015 –A Resolution Approving a Business Assistance Agreement with Fresca Foods, Inc. for an Economic Development project in The City of Louisville***
- D. *Approve Resolution No. 34, Series 2015 –A Resolution Approving a Business Assistance Agreement with Hope Foods, LLC for an Economic Development Project in the City of Louisville***
- E. *Approve Resolution No. 35, Series 2015 – A Resolution Approving a Business Assistance Agreement with Aquahydrex, Inc. for an Economic Development Project in the City of Louisville***

COUNCIL INFORMATIONAL COMMENTS ON PERTINENT ITEMS NOT ON THE AGENDA

Mayor Muckle reported he had, along with members of the Historic Preservation Commission and citizens visited three landmarked buildings in town. Each landmarked building received a plaque. He noted 740 Front was landmarked, restored and open tonight as a new restaurant.

Council member Keany noted he and some Golf Course Advisory Board members took a tour of the golf course, looking good with minor exceptions. He was pleased with the progress.

CITY MANAGER'S REPORT

City Manager Fleming reported on the following:

1. Hwy 42 and Paschal Drive signal – received bids and the low bid should allow the project to be about \$30,000 less than budgeted. Council approval will be sought at next week's meeting and project completion is expected before end of the year.
2. Taste of Louisville this weekend – Parking Ambassadors have been hired and will be helping people find legal parking spaces during special events. They can issue tickets but will primarily facilitate finding spaces and getting folks to events.
3. Survey on website concerning composting. He asked residents to take the survey to help staff and Western Disposal determine how to better serve residents.

REGULAR BUSINESS

RON AND JOHN SACKETT DAY PROCLAMATION

Mayor Muckle noted Council wishes to recognize the contributions of Ron and John Sackett to Coal Creek Golf Course by naming June 29, 2015, Ron and John Sackett Day at the golf course. There have been a lot of influential people involved in building and rebuilding of the golf course. Ron Sackett was instrumental during his time on Council in forming the Golf Course Advisory Board and John Sackett, his son, during his time on Council, was instrumental in the original building of the golf course. Mayor Muckle read the proclamation. He noted it would be presented on June 29th at the Golf Course. As the Mayor shook Ron Sackett's hand, the audience rose and recognized the Sacketts with their applause.

REVIEW AND CONFIRMATION OF ALTERNATIVE LAND USE SCENARIOS AND MAIN STREET AND CENTENNIAL DRIVE INTERSECTION ALIGNMENTS TO BE STUDIED AS PART OF THE SOUTH BOULDER ROAD SMALL AREA PLAN - *Continued from 5/19/15*

Mayor Muckle requested a staff presentation.

Planning and Building and Public Safety Director Russ noted the study area extends from Via Appia to the City limits with Lafayette and from Paschal Drive down to Cannon Circle at Highway 42. Within that area, staff looked at areas of change or probable change over the next 20 years. The study considered ratios of land values to total value and what is allowed from the zoning code versus what is built there. Staff noted the areas with economic pressures which would likely result in change in the next twenty years. There were four alternatives shown. One was the current zoning with a low range estimate, a high range estimate and one in the middle looking at both building heights and a total mixture of land uses. Council directed staff to highlight within the table of the currently allowed development what has gone through the development review process and what would be defined as either vested or entitled. Staff adjusted the table of potential buildout for the South Boulder Road draft alternatives by removing the Alfalfa's/Center Court Apartments from the numbers, resulting in reductions in residential units and retail square footage from the existing and allowed totals, and smaller reductions in all categories for each of the alternatives. Staff also added a row labeled "entitled", reflecting what is currently built plus what has been approved but not built for the Boulder County Housing Authority, Coal Creek Station, Lanterns, and North End Commercial developments. He presented the updated table with the numbers adjusted.

	Residential (units)	Office (SF)	Retail (SF)	Park (SF)
Existing	405	194,711	336,626	0
Entitled - recent	732	236,739	408,126	0
Currently Allowed	1,006	1,258,870	532,236	0
Workshop Alternative	805	463,678	332,220	17.4 ac
Market Alternative	1,692	949,375	496,175	1.3 ac
Survey Alternative	992	1,086,484	583,263	10.4 ac

Planning and Building Safety Director Russ noted based on the public and City Council comments to date, staff recommends dropping the Market Alternative from further consideration. Staff also recommends proceeding to conduct detailed evaluations of the Workshop and Survey scenarios and comparing them to the Entitled and Currently Allowed development scenarios on these factors:

1. Character and design of the development;
2. Changes to property rights;
3. Fiscal impacts;
4. Traffic impacts;
5. Public costs;
6. School impacts; and
7. Evaluated against the measures of success

Further, staff recommended City Council make any desired changes to these alternative corridor land use scenarios and the Main Street and Centennial intersection alignments being considered for testing, then confirm the final scenarios for evaluation. The results will be vetted with the community to assist in developing a preferred hybrid land use scenario and infrastructure plan with more nuances which better reflect community desires and expectations during the “Discussion” phase of the project.

COUNCIL QUESTIONS

Council member Loo asked for clarification on the “entitled” portion and were there any entitled items which may have been approved long ago. Planning and Building Safety Director Russ noted they are PUD’s except for the Alkonis property. PUDs are further along in detailing what can be built. He noted there were not any entitled items from years ago that staff knew of.

Mayor Muckle commented there are a few properties with potential for development. Council member Loo stated that is exactly what she was asking. Could property owners come forward and say they wanted to do certain things on their property and felt entitled to do so given the current zoning. Planning and Building Safety Director Russ stated

the allowed shows all of those. They have not gone through the development review process but are allowed by the zoning in place.

Council member Loo wanted to get a handle on anything and everything that could come before Council. There was an exercise years ago where zoning was looked at and calculations were then done to determine how many possibilities you would have. Planning and Building Safety Director Russ stated that is shown in "Currently allowed".

Council member Keany asked about the Cottonwood Condos and townhouses around Cottonwood Park and wondered if someone bought out each owner how many additional units could be developed. The answer was 20.

Council member Keany inquired what zoning changes would take place with this plan. Planning and Building Safety Director Russ noted the small area plan would give a land use vision and if there were zoning change recommendations staff would proceed to suggest changes to the Municipal Code. There are land use scenarios for each alternative. Council member Keany noted most developments do not fill to the maximum allowed density and wondered if there was planning industry percentage to determine potential to actual. Planning and Building Safety Director Russ wasn't aware of an industry standard.

Council member Lipton asked to look at the proposed alternatives and what the conditional implies. Planning and Building Safety Director Russ noted it would be vetted throughout the process but based on what the community saw as important. Incentives to developers could be used to add other amenities to the City. He referred to the land use assumptions; residential shows only the floor height as conditional. General office then gave a potential 50% discount to residential, less than half the units being shown are conditional. Council member Lipton wanted to make sure they are accounted for with assumptions. Planning and Building Safety Director Russ noted they are with an assumed 50% discount. Council member Lipton noted with the alternatives considered there would be 2 story and no more than 3 story buildings.

City Manager Fleming noted the only way conditional criteria would be granted would be if Council felt it was merited. Land use description shows conditions as proposed. Senior, live/work, affordable housing, fiscal performance, limited impact on view sheds and shadows and/or public realm improvements. Special merits could lead to approval of conditional criteria for additional floors.

Council member Keany asked about affordable senior housing opposed to senior housing. Planning and Building Safety Director Russ noted staff is not asking for a vote on the conditions tonight and will work with Council to vet a very deliberate process. This presents the concept and the logic to the discount. He agreed the community has asked for affordable senior housing.

Mayor Muckle called for public comment and noted the public could speak to the Small Area Plan and Main Street realignment.

PUBLIC COMMENT

Joe Spanarella, 1515 Main Street, Louisville, CO recently moved his family to town and noted many know their home. They became aware of the small area plan and notably the realignment of Main Street. The family does not remember receiving notice from the City and feel they did not have a chance to dialogue with the City. They have long term plans for the property and asked the Council to explore any and all alternatives without the realignment of Main Street. He felt the realignment would not provide a gateway, it is already there. He asked Council to acknowledge the City's heritage and history and leave the properties as they are.

Jessica Spanarella, 1515 Main Street, Louisville, CO granddaughter of Fiori Tesone and Mena Digiacomo Tesone noted they had deep roots in the community. Her grandparents built the white house and raised their family there. She represented the Tesone family and asked Main Street not be realigned. She and her family moved into her grandparent's home two months ago with intentions of landmarking, restoring and keeping the property in the Tesone family. She asked Council to not realign Main Street.

Herb Newbold, 9750 Empire Road, Louisville, CO noted he had handed out a presentation on Main Street realignment to the Council members. He stated he moved to Louisville in the 70's. He and his wife bought the Digiacomo property as an investment and moved the home to a lot on Front Street to preserve it. He asked Council to let them preserve their investment in the property. From an engineering viewpoint, he didn't feel the plans justified the realignment of Main Street. The goal was to provide a bicycle/pedestrian access/underpass and a gateway. He did not see the plans as providing that. He felt the natural elevation allows for a better underpass at the railroad than near the Alfalfa's area. He thought there were better ways to accomplish the goal than displacing people.

Sherry Sommer, 910 S. Palisade Court, Louisville, CO asked Council to respect history. She asked for careful, thoughtful concern about the demographics in Louisville and possibly providing nothing for the middle class. She asked the City to look at not growing too much and providing a chance for families to move in here.

Martha Parks, 928 Arapahoe Circle, Louisville, CO a third generation Coloradoan, moved here in 1996 and chose Louisville as the place for her family to grow up in. She was concerned about density, demographics, and young people not able to afford to live here. She noted as a senior she will not be able to afford to live here. She wanted Louisville to maintain its small town feel. She asked Council to consider long term effects; overcrowding of schools, traffic, air pollution and water.

John Leary, 1116 LaFarge, Louisville, CO thought it would be helpful to separate the allowed into property that has not been developed and has been developed which

would allow more units. He thought the abstract questions in the survey could not address what we need more of without providing specific numbers.

Mike Dee, owner of 1125 Pine Street and Petra Properties, noted his property is not in the SBR connection but part of the Lee Street connection. He could not attend the last meeting concerning his property. He spoke to the limbo he had been in with his property and felt if things were in the master plan, the City should not be waffling. He read a letter he had written to Council concerning the Lee Street extension and the position it left him in. He asked for confirmation the City would not be using this property in the future.

Melissa Malerba, 1565 Main Street, Louisville, CO has spoken three times pleading for the Council to not take her home for the realignment. She did want her hands tied while the City decides what to do. She wants to be able to sell, make improvements and pled with Council to make a decision so she could move on. She did not see the value of further studies and spending more dollars.

COUNCIL COMMENT

Council member Lipton asked about a presentation on the Main Street realignment. Planning and Building Safety Director Russ noted it had been presented at the last meeting. It was decided to not do the presentation again.

Council member Loo asked Attorney Light since she was not present for the presentation on realignment could she vote. City Attorney Light noted it was not necessary to recuse herself since this was not a quasi-judicial matter. Staff is looking for direction on the items to further analyze for the Comprehensive Plan.

Council member Loo stated she was moved by resident's pleas and would be voting to release their properties from the planning process.

Council member Keany noted after hearing the public comment he had no interest in realigning Main Street. He suggested evaluating an overpass instead of an underpass.

Council member Lipton noted when he was on Planning Commission he was concerned about the Main Street realignment. He advised caution about impacting existing neighborhoods with roads. It may not be the optimal transportation solution to not realign Main Street, but other alternatives could be found to not negatively impact the residents.

Council member Leh noted traffic was an issue he heard about during his campaign. He had heard some support for this realignment, but thought the impacts to the residents were perhaps not clear. Benefits are not likely to happen with further study. He agreed with Council member Lipton it would change the neighborhood and didn't

see the change as a real reduction of traffic. He felt creative staff and open minded citizens could find a solution with no further study.

Mayor Muckle asked the unhappiness be directed his way. He felt the realignment of Main Street was a reasonable consideration within abstract terms. He found the testimony compelling and didn't have any interest in taking homes, let alone historic homes.

MOTION: Mayor Muckle moved to not pursue realignment of Main Street in the next phases of the South Boulder Road Small Area Plan. Council member Lipton seconded. Voice vote 6-1, Dalton opposing.

Mayor Muckle suggested Council release the 1125 Pine Street property with bringing it back as a future agenda item. The property owner asked for expediency.

Council member Stolzmann asked Council to consider endorsing three principles as they move forward with the small area plan to relieve resident anxiety.

1. No changes to zoning to allow for additional high density housing in this corridor.
2. Respect individual property owner rights.
3. Minimize conditional zoning so community members have more certainty.

She addressed senior and affordable housing. She noted there was a significant increase in senior and affordable housing with the annexation of the Boulder County property. She suggested going over the other public improvements carefully as these are not the only homeowners who would be impacted. She felt existing zoning is the best option presented. This will add more residential, but the other options result in even more residential. She saw little benefit in studying the Survey or Workshop option because the retail and office projections will not be supported by market realities.

Council member Lipton felt Council member Stolzmann had basically articulated his stand. He suggested general principles to agree on based on what has been seen. He thought this corridor was maxed out and was not in favor of going further than already allowed. He was not convinced any high density should be allowed, even conditionally. He was leaning toward a go slow strategy.

Council member Loo wanted to revisit Council member Stolzmann's suggested principles.

Council member Stolzmann described her method of arriving at an estimate of residential housing with the current zoning. She noted it was similar to what planning referred to as entitled but was slightly less, by taking out the properties she saw as highly unlikely to be redeveloped.

Council member Keany stated he generally supported the first principle.

City Attorney Light cautioned Council against putting this support for the principles in the form of a motion but could proceed by noting this was to guide staff. He stated Council

would not want to endorse a principle that would suggest the City would never entertain an ordinance to make some changes to the zoning code.

Council member Lipton asked for consensus on what defines high density housing. Council member Stolzmann said her intent was to cool the temperature of the discussion so citizens knew the Council had listened and was not proposing any additions to high density housing over the zoning currently allowed.

Council member Lipton suggested the first principle read “not approve housing above what the zoning already allows”. Council member Stolzmann agreed as did Mayor Muckle.

Mayor Muckle asked if anyone disagreed with the second principle. He heard no disagreement. He noted he would go along with the third principle as long as it did not say conditional was not allowed. He felt conditional uses could be beneficial.

Planning and Building Safety Director Russ asked for clarification of the second principle.

Council member Lipton noted he saw it as not going below what is in place for entitlements and zoning. Planning and Building Safety Director Russ asked if building heights and design guidelines for building placement were still on the table for discussion. Council member Lipton felt they were and could be topics of further discussion; the numbers seem to be what is consuming Council at this point.

Council member Leh suggested perhaps the second principle could be taken out, not because Council didn’t want to respect property rights, but there is willingness and ability by Council to follow the law and what is already in place which demands respect for those rights.

Council member Loo felt it was relatively simple thing to be thoughtful about running a road through private property. She wanted to leave the principle in.

Council member Stolzmann was comfortable taking it out if Council went through each public improvement. She noted with all the marks on the map, staff should be aware of the residents being affected. She wanted a message sent that Council was not making decisions counter-productive to those residents and the community’s mission.

Council member Leh noted when doing any planning there was a certain amount of marking maps up that is normal. He did not want to potentially create property rights that don’t exist. Council member Stolzmann wanted to give staff direction to help better align with the community.

Mayor Muckle agreed if you never mark up a map, you make a decision there will never be a different vision for the City even if it is really good. He suggested a principle of transparency.

Planning and Building Safety Director Russ encouraged a principle of transparency and noted it is already followed to instill confidence in the Council and citizenry. A property right is a scale question; can the sight accommodate a public investment and still return a yield. Many of the improvements in town would not be there if the City's desire was not combined with the private sector's investment in redevelopment.

Council member Stolzmann suggested a better wording might be "provide full analysis of the impacts of alternatives on existing land use".

Mayor Muckle asked for a motion on the principles. City Attorney Light suggested Council could entertain a motion to endorse the principles to guide further staff analysis on the preparation of the South Boulder Road Small Area Plan.

MOTION: Council member Stolzmann moved to endorse the following principles to guide further staff analysis on the preparation of the South Boulder Road Small Area Plan:

1. No changes in zoning to allow for increases in residential housing above that currently allowed.
 2. Provide full analysis of impacts of alternatives on existing land uses
 3. Minimize conditional zoning
- Seconded by Mayor Pro Tem Dalton.

Council member Leh asked if there should be a specific statement about transparency. Council member Stolzmann accepted that as a friendly amendment and added the principle:

4. Be transparent.
- Secunder accepted the amendment.

Motion passed unanimously.

Mayor Muckle suggested staff be directed to analyze the alternatives Council chooses. He supported staff's selection of Workshop and Survey alternatives and encouraged more than one fiscal model, to reflect the reasonably expected scale.

Council member Stolzmann wanted consideration of the Commercial Development Design Standards to view what is and is not working with the existing land use. The reason she didn't see a reason to do a full analysis on the options proposed, was because of the retail and office scenarios. She did not see a reason to do a detailed fiscal analysis of scenarios not based in reality. Looking at design guidelines with the existing and entitled would be useful.

Council member Leh was supportive of Council member Stolzmann's suggestion. He was conscious of staff time and scope of study. He tends to like more than one alternative or version. He was not sure the Market alternative was worth studying but the other two are worthwhile. He felt the thoughts brought in by the survey should be considered since it represents more of the entire town.

Council member Stolzmann felt it important to separate the public improvements out of the options and Council go over them in details regardless of the chosen alternative.

Mayor Muckle suggested an alternative that was both workshop and survey and incorporate some of the market studies.

Council member Loo supported some blend and noted staff did recommend taking the market alternative off the table. She suggested some blend of the workshop and survey.

Mayor Muckle said staff could be directed to study existing, entitled and a workshop/survey blend.

Council member Stolzmann asked if that was about public improvements in a workshop/survey blend. She noted they had talked about not increasing housing and the survey option contains housing.

Mayor Muckle noted perhaps this would be a new alternative taking into account the principles just encouraged or perhaps just direct staff to study entitled and existing.

Council member Lipton was surprised at the potential in currently allowed of increased office/retail. He suggested tempering those numbers due to market reality. The implication on traffic could be extreme.

Mayor Muckle noted this is why the study is being conducted. Looking at currently allowed and the resulting increases may not be actually what the City wants to see happen over next 20 years. Council member Lipton asked how you change that and still respect current zoning.

Council member Keany had trouble envisioning a million square feet of possible additional office without significant redevelopment. Planning and Building Safety Director Russ noted it came from additional stories.

Council member Lipton noted there could be re-development. He asked if there was a want for a suburban or urbanized feel to the corridor.

Council member Keany noted the public wanted suburban not urban from what he had heard.

Council member Lipton suggested more discussion after staff had a chance to study and flesh it out.

Mayor Muckle asked if Council was willing to let staff go forward with current suggestions.

City Manager Fleming summarized. The market alternative is off the table. There is a question on the currently allowed about how realistic it is, based on the maximum build-out per current zoning. The analysis should look more closely at individual parcels of land to determine what might develop. He noted this would likely bring the numbers down somewhat in all three categories.

Mayor Muckle suggested looking at what is realistic and creating an alternative option.

Council member Keany suggested some Planning Commission members and Council members work with staff to move the process along. Mayor Muckle supported directing staff to compare existing, entitled and a new blended option.

Council member Stolzmann wanted not “entitled” but a “likely estimate” and calling it a workshop blend.

Mayor Muckle noted Council is asking staff to proceed to next level of study by comparing existing land use, a likely estimate and a workshop blend.

QUESTIONS FOR MCCASLIN BOULEVARD SMALL AREA PLAN SURVEY –
Continued from 03/17/2015 & 5/19/15

Mayor Muckle requested a staff presentation.

Council member Keany asked if Council should proceed with the McCaslin survey if the South Boulder Road Small Area Plan is not progressing. Council member Stolzmann supported the suggestion with the idea of learning from the first process.

Council member Lipton wanted to be realistic about how long South Boulder Road would take. If McCaslin is delayed, the Council may have to react to not what is wanted but what is already there. He suggested moving forward.

Planning and Building Safety Director Russ suggested for the South Boulder Road Plan, staff only look at the allowed land uses from a zoning perspective and strictly from a design perspective. He noted with the principles there is no reason to look at the different land use scenarios. The community expressed wanting a more walkable environment and enjoyed what they saw in the Alfalfa’s development design. He suggested in the SBR small area a plan to divorce zoning from design. The market will dictate development on the corridor and he didn’t want to delay the McCaslin corridor planning.

Mayor Muckle wanted more than just design but also a fiscal model. He noted Planning and Safety Building Director Russ was suggesting the next step in the process only on allowed zoning.

Council member Stolzmann urged Council to continue this later as most of the audience left. She noted she had suggested evaluating the Commercial Development Design Standards to highlight what is and is not working.

Council member Leh felt there was no radical change of course. He felt Planning and Building Safety Director Russ had articulated one way to move forward and was trying to reflect what Council was discussing. Mayor Muckle agreed and noted there had to be some discretion to allow staff judgement on how to move on. He wanted to continue with the McCaslin discussion.

Council member Lipton suggested moving forward with McCaslin and incorporating lessons learned.

Mayor Muckle called for a staff presentation.

Planner II Robinson updated Council on this item continued from the April 7th and May 19th Council meetings for councilmembers to review the South Boulder Road Small Area Plan alternatives to better understand how staff utilized the South Boulder Road Community Survey in developing alternatives for consideration prior to giving staff direction on this item for the McCaslin Corridor.

Staff believes the format and questions of the South Boulder Road Survey and the proposed format and revised questions as suggested by City Council for the McCaslin Survey will prove to be additional useful tools in gathering community input for both small area plans.

Staff asked for Council direction on any desired changes to the proposed survey questions and related information.

Mayor Muckle called for public comment

PUBLIC COMMENT

Sherry Sommer, 910 S. Palisade Ct., Louisville, CO suggested looking at the design and how it is made, how the survey questions are posed and what conclusions were drawn.

John Leary, 1116 La Farge, Louisville, CO wanted the questions put in context and positioned to help people understand the purpose of the area and how it is functioning

now. Help them understand so they can determine if it needs to be changed. Doing things in the abstract will not provide good information.

COUNCIL COMMENTS

Council member Lipton asked about question #7. It has to do with sales and use tax rebates, not a land use decision. This is for grants to promote business and he suggested not getting into issues of financing and thought the question was to be removed. On question #8 he suggested changing to "would you support each of the following types of residences, if any". He wanted to allow for a "none of the above" response. Planner II Robinson confirmed that response was included.

Council member Loo questioned whether people understood the terms used for housing types. She suggested testing the concept.

Council member Keany felt the terms were common except perhaps mixed use. He asked if there was any discussion about the difference in value between residential and commercial or changing uses.

Planning and Building Safety Director Russ noted the participants of the workshop receive more detail. The Envision Louisville site does not contain the narration or the facilitation provided at the workshop, but similar questions. The community wide survey is to show the desire of the community. Those are blended to allow Council to make a decision. This broad brush approach of public outreach allows Council to then get into specifics.

Mayor Muckle agreed there needed to be some context to what is currently in the area and proposed a question "the area covered by the McCaslin Small Area Plan has the purpose of providing a commercial tax base for Louisville. It consists of land set aside for retail and office developments. The retail outlets provide shopping and dining opportunities for residents and nonresidents. Offices provide customers for retail stores and dining outlets as well as commercial property taxes. The area provides approximately 53% of Louisville's retail tax revenue and 32% of our consumer use tax. How would you like to see this area used in the future - Please choose one of the following: 1. Continuous present use of office and retail stores 2. Consider rezoning to allow for a mix of high density residential development, retail outlets and office buildings 3. Rezone for single family use, retail outlets and office buildings."

He agreed with staff in not asking if the community wanted housing in places already determined to not have it. He was not opposed to asking about Sam's club specifically, what the residents would like to see. He would like to see the design questions.

Council member Lipton liked Mayor Muckle's suggestions and wanted to also get rid of question #7. He liked the idea of setting the foundation in the first suggested question, but was uncertain about the Sam's club question because of the complexity of the issues there.

Council member Loo felt no one likely wanted to see residential on the Sam's club site. Council member Leh wanted community input on alternatives they might tolerate.

Planner II Robinson noted the first proposed question might have some of same problems as question 8. He was concerned about framing the questions with fiscal language. He suggested putting the area description in the introductory letter.

Council member Stolzmann suggested instead of doing a survey to get a range, staff do a low, medium and high and then survey the alternatives. Mayor Muckle wasn't sure how to accomplish that.

Planning and Building Safety Director Russ asked about land use mixture with high, medium, low and a variety of uses and let staff provide that high, medium, low. Then the survey could be done from a community character perspective. Physical form and character information will inform design guidelines and staff can create a range dropping the use questions out of the survey. The form questions would stay in place and could even be expanded.

Council member Stolzmann noted this would leave the picture questions in and take most of the word questions out.

MOTION : Mayor Muckle moved direction to staff be to get design and form information and not ask use questions. He also moved the Current use information be a part of the cover letter. Dalton seconded. All in favor.

**REVIEW AND ENDORSEMENT OF OPPORTUNITIES/ CONSTRAINTS ANALYSIS
AND MEASURES OF SUCCESS FOR MCCASLIN BOULEVARD SMALL AREA
PLAN**

Mayor Muckle requested a staff presentation.

Scott Robinson, Planner II, reviewed the study area along McCaslin Boulevard.

1. Defines desired land uses for the corridor;
2. Establishes preferred physical character (design guidelines);
3. Outlines public infrastructure priorities

Process

- Phase 1 – Desire: Set goals
- Phase 2 – Discovery: Corridor analysis
- Phase 3 – Design: Develop alternatives
- Phase 4 – Discussion: Select preferred alternative
- Phase 5 – Documentation: Codify results

Phase 1 - Desire

- Opportunities/Constraints analysis
- Project measures of success

Community Input

- Urban Land Institute Technical Advisory Panel (ULITAP)
- www.EnvisionLouisvilleCO.com
- Public kick-off meeting

ULI TAP

- Make retail more attractive
- Provide better connections
- Capitalize on nearby transportation investments
- Create corridor identity
- Outdated regulations

EnvisionLouisvilleCO

- Better sense of place
- Civic gathering area and parks
- Better design of buildings, signs, and art
- Land use mix should create activity and meet fiscal goals
- Better connections to and through the corridor
- Connection to heritage is lacking

Kick-off Meeting

- Dot exercise to show likes, dislikes and things needing immediate change
- Small group discussions

Small Group Discussions

- Better connectivity
- More public amenities
- Lacked distinctive Louisville character
- Not well integrated into the City
- Ensure economic vibrancy and sustainability

Opportunities/Constraints

Opportunities

- Traffic volume providing potential customers for businesses
- Investments at interchange and BRT station
- Significant park/open space amenities just outside the corridor
- Several areas ready for investment
- Significant landscaping along the corridor
- Potential for identity-defining features
- Social infrastructure, such as schools, can accommodate growth
- Existing hotels in the area

Constraints

- Disconnected parcels and difficulty of adding new connections
- Traffic speeds making the corridor unpleasant for visitors
- Lack of visibility for businesses
- Limited bike and pedestrian connectivity
- Lack of public gathering spaces in the corridor
- Outdated site and building designs and development, signage, and zoning regulations
- Visitors unaware of connections to the rest of Louisville
- Market capture area limited by street network, regional competition, disparity between daytime and nighttime revenue, and surrounding open space
- Lack of community consensus on desired uses

Community Values

The McCaslin Blvd study area is lacking:

- A sense of community
- Sustainable practices for the economy, community, and environment
- Unique commercial areas and distinctive neighborhoods

COUNCIL COMMENTS

Council member Loo thought the second opportunity needs to be further expanded for explanation. She wanted the second to last constraint more defined.

Planner II Robinson noted there were constraints on how well the businesses there can do. Constraints include getting there, the disparity between daytime and nighttime revenue and the open space surrounding which, of course, does not include residential.

Council member Loo wanted to break it up and make sure it is understandable. Mayor Muckle agreed market capture needed to be better defined.

Council member Stolzmann suggested removing the comment concerning the school's ability to handle the growth. A letter from the school district indicated Monarch High School and Monarch K-8 may not have the capacity with the development of Superior Town Center.

Mayor Muckle asked if there were other social infrastructures besides schools. Planner II Robinson noted the discussion centered on Fireside Elementary and the ability to accommodate growth. Mayor Muckle suggested dropping the item as an opportunity but not adding it to the constraints. There were no objections.

Council member Loo wanted a better definition of public gathering spaces. She felt it was too vague. Mayor Muckle agreed more clarity was needed.

Mayor Muckle felt the last constraint “lack of community consensus” was what the plan was trying to accomplish.

Measures of Success

- Principle 1 – Improve connectivity and accessibility while accommodating regional transportation needs.
 - a) Increase the network connectivity of roads parallel to McCaslin Blvd
 - i) Are vehicles able to move between parcels without returning to McCaslin Blvd?
 - b) Make sure traffic passing through the corridor does not make it an undesirable place to live, work, play, and travel
 - i) Does traffic noise decrease?
 - ii) Do pedestrians and bicyclists feel safe?
 - iii) How long will a trip take on the corridor?
 - c) Accommodate future regional transportation plans
 - i) How does the corridor alternative adequately address future transportation needs?
 - ii) How does the corridor alternative accommodate adopted regional transit plans?
 - d) Provide wayfinding to locations within and outside the corridor
 - i) Are visitors able to find key destinations and locations in the study area?
 - ii) Are visitors able to find connections to key destination outside the study area, such as Downtown?

COUNCIL COMMENTS

Council member Stolzmann wanted to add how commuters coming into the community get from the bus to work and around during the day.

Planning and Building Safety Director Russ suggested adding the “final mile”. How accessible is the station, to and from, and hit the key aspects. He asked if Council member Stolzmann was seeing an increase of connectivity with the existing uses.

Council member Stolzmann confirmed she was concerned about commuters in and out and noted it could be separated into final mile and parking.

Council member Keany asked about 1a “increasing connectivity”. Planning and Building Safety Director Russ noted this could be through redevelopment which would have less impact on property rights and would be one of the measures to test against.

Mayor Muckle saw this as coming through redevelopment or something mutually beneficial to the businesses, property owners and the community.

- Principle 2 – Create public and private gathering spaces to meet the needs of residents, employees, and visitors.

- a) Provide for community amenities identified in the survey and elsewhere
- b) Provide a central civic space to help create a sense of place
- c) Encourage, through design guidelines or incentives, private developers to incorporate publicly accessible spaces into new developments
- d) Identify which, if any, undeveloped parcels should be purchased for park/open space
 - i) Does the ratio of acres to users meet City standards?
 - ii) Do public spaces connect to form a cohesive network?
- e) Provide programming to activate public spaces

NO COUNCIL COMMENT

- Principle 3 – Enhance bicycle and pedestrian connections to private and public uses.
 - a) Provide safe and convenient facilities that serve a broad range of users with multiple modes of travel
 - i) Are all modes of travel accommodated?
 - ii) Are users of all ages and ability levels accommodated?
 - iii) Do the improvements proposed provide safer conditions for all users and ability levels?
 - iv) Are existing deficiencies addressed?
 - v) Do bike and pedestrian facilities connect to trip beginning and end points?
 - b) Design solutions that the City can realistically maintain over time
 - c) Promote regional trail connectivity within the study area
 - d) Is a connection provided through the study area to Davidson Mesa and the new underpass?

NO COUNCIL COMMENT

- Principle 4 – Utilize policy and design to encourage desired uses to locate in the corridor and to facilitate the reuse or redevelopment of vacant buildings.
 - a) Do allowed uses serve community needs as defined in survey and elsewhere?
 - b) Are allowed uses supported by the market?
 - i) To what extent are incentives and/or public infrastructure partnerships needed to induce identified uses to locate in the study area?
 - ii) To what extent do uses capitalize on investments at the US 36 interchange and Bus Rapid Transit station?
 - c) Does the land use mix demonstrate strong fiscal benefits?
 - d) Is the process for approving desired uses and desired character simpler and more predictable?

COUNCIL COMMENT

Council member Stolzmann asked to change c) to a). Mayor Muckle agreed the fiscal benefits should be at the top of the list.

- Principle 5 - Establish design regulations to ensure development closely reflects the community's vision for the corridor while accommodating creativity in design.
 - a) Physical form should incorporate desires expressed in the community survey and elsewhere
 - b) Ensure signage and landscape regulations allow for adequate business visibility without detracting from aesthetic qualities of the corridor
 - i) Does signage clearly direct visitors to businesses without appearing overbearing or too cluttered?
 - ii) Does landscaping provide for a pleasant visitor experience while still providing visibility to businesses?
 - iii) Allow flexibility to respond to changes in market requirements, design trends, and creativity in design

NO COUNCIL COMMENT

- Principle 6 – Establish development regulations to meet the fiscal and economic goals of the City.
 - a) Does the proposed plan demonstrate long-term, strong economic benefits for the corridor?
 - i) Are allowed uses complimentary and will they reinforce each other?
 - ii) Are allowed uses supported by the market and likely to locate in the corridor?
 - b) Does the proposed plan demonstrate strong positive fiscal returns to the City?
 - i) Will the timing of development maintain sufficiently strong returns at all times?
 - ii) Are alternative funding or taxing schemes required to meet the City's other goals for the corridor?

NO COUNCIL COMMENT

Mayor Muckle noted Council direction had been given and called for the next agenda item.

DELO PLAZA

ORDINANCE NO. 1693, SERIES 2015 – AN ORDINANCE APPROVING A REZONING OF A 3.9-ACRE PARCEL OF LAND LOCATED AT 1055 COURTESY ROAD FROM CITY OF LOUISVILLE INDUSTRIAL (I) ZONING TO CITY OF LOUISVILLE COMMUNITY-COMMERCIAL (CC) AND CITY OF LOUISVILLE MIXED-USE RESIDENTIAL (MU-R) FOR THE DEVELOPMENT OF DELO PLAZA – 2nd
Reading – Public Hearing – Advertised *Daily Camera* 05/24/2015

RESOLUTION NO. 36, SERIES 2015 – A RESOLUTION APPROVING A FINAL PLAT, FINAL PLANNED UNIT DEVELOPMENT (PUD), AND SPECIAL REVIEW USE

(SRU) FOR THE REDEVELOPMENT OF A 3.9 ACRE PROPERTY WITHIN THE CORE PROJECT AREA REFERRED TO AS DELO PLAZA AND INCLUDING THE ADDITION OF APPROXIMATELY 19,308-23,000 SQ. FT. OF COMMERCIAL SPACE

City Attorney Light introduced Ordinance No. 1693, Series 2015 and Resolution No. 36, Series 2015. He noted this is continuance of a public hearing and staff is recommending a continuance.

Mayor Muckle opened the public hearing and moved Ordinance No. 1639, Series 2015 be continued to July 14, 2015. Mayor Pro Tem Dalton seconded. All in favor.

Mayor Muckle moved Resolution No. 36, Series 2015 be continued to the July 14, 2015 meeting. Council member Keany seconded. All in favor.

PUBLIC COMMENT

Sherry Sommer, 910 S. Palisade Ct., Louisville, CO asked to speak about the previous discussion item. She noted the Sam's Club is being used as a church currently and she felt the church is doing good work in the community.

ORDINANCE NO. 1691, SERIES 2015 – AN ORDINANCE AMENDING TITLE 17 OF THE LOUISVILLE MUNICIPAL CODE TO DEFINE LIVE-WORK USES AND ALLOW THEIR DEVELOPMENT IN THE MIXED USE ZONE DISTRICTS AND DOWNTOWN LOUISVILLE – 2nd Reading – Public Hearing – Advertised *Daily Camera* 05/10/2015

City Attorney Light introduced Ordinance No. 1691, Series 2015 and noted it was before Council on second reading.

Mayor Muckle opened the public hearing and requested a staff presentation.

Planning and Building Safety Director Russ noted Live-Work is not a new concept. The proposed definition of Live-Work means a single lot with one or more structures combining a commercial activity allowed by-right in the underlying zone district with a single residential living unit.

- It is a common Planning term. Every historic community has Live-Work environments. Examples in Louisville are 801 Main Street which was a Post Office and residence (moved to 721 Grant Avenue). The City Hall parcel had a barber with a dwelling unit. The Blue Parrot parcel had a drug store with a dwelling unit behind it. A current example is 901 Main Street which is an office commercial building with an attached single family dwelling.
- How do we create a Mixed Use environment? Live-Work is somewhat Mixed Use. It is supposed to be one residential unit and one commercial unit. There is home occupation

allowed in all residential units. If you live in a house, you are allowed to conduct business. Home occupations are for small scale, non-disruptive commercial activities within neighborhoods.

- In Community Commercial Zone Districts, there is a commercial component allowed by right. The residential component is only multi-family as an option, not single family, and is allowed by Special Review.
- In Mixed Use Zone District, commercial allowed by right. Residential, multi-family allowed by right in MU-R, but not allowed in CC. Single family dwelling is not allowed in either.

The ordinance before City Council says the Commercial Community (CC) and Mixed Use (MU) Zone Districts will be the only two districts in the City where Life-Work would be allowed.

- Performance standards.

- 1) The commercial and residential portions of the live-work use shall remain under single ownership and shall not be subdivided, used as condominiums or otherwise divided in ownership.
- 2) The residential portion of the Live-Work use shall not exceed sixty six percent (66%) of the total floor area of the development.
- 3) The residential portion of the Live-Work use is prohibited in the lower level of the building facing the front lot line of the parcel.
- 4) Parking requirements for a live work use shall be as follows:
 - a. The commercial portion of the development shall provide a parking space for every 500sf of the floor area rounded to nearest 500 sf.
 - b. 1-bedroom minimum: 1 space per unit; maximum: 2 spaces per unit; 2-or-more-bedroom: 2 spaces per unit.
 - c. A parking requirement waiver may be requested when a demonstrated shared parking analysis for the parcel is provided.
 - d. The parking requirements of this subsection 17.16.320.A.4.d are waived for properties incorporating live-work that are designated as a Louisville landmark pursuant to chapter 15.36 of this code.
- 5) All live-work commercial development within the area designated as Downtown Louisville, as defined in Chapter 17.08.113, shall also comply with this title and all requirements of the Design Handbook for Downtown Louisville, as adopted and amended from time to time.
- 6) All live-work development in the mixed use zone districts shall comply with the development and design standards stated in this title and the Louisville Mixed Use Development Design Standards and Guidelines (MUDDSG), as adopted and amended from time to time, except as expressly waived or modified by the city in

a planned unit development plan approved according to chapter 17.28 and subject to the limitations stated in section 17.14.090.

Planning Commission reviewed this and had a detailed discussion on water tap fees and metering, historic preservation incentives and the scale of development. Discussion included fiscal concerns which staff checked with the County Assessor who is not concerned about this land use as they tax proportionately according to the commercial or residential use. The Planning Commission voted unanimously (7-0) to recommend the amendment to Title 17 be forwarded to City Council for consideration.

Staff recommends City Council approve Ordinance No. 1691, Series 2015, an ordinance amending title 17 of the Louisville Municipal Code to define and allow live-work uses in the Mixed Use Zone Districts and Downtown Louisville.

PUBLIC COMMENT

Mayor Muckle called for public comment and hearing none, called for Council comment.

COUNCIL COMMENT

Council member Stolzmann thought it was a good idea to keep the water tap fees separate.

MOTION: Council member Stolzmann moved to approve Ordinance No. 1691, Series 2015. Seconded by Council Member Lipton.

City Attorney Light suggested a revision to the phrase Sec. 17.16.320 A 1. The commercial and residential portions of the live-work use shall remain under single ownership and shall not be subdivided, used as townhomes, multi-family dwellings or condominiums or otherwise divided in ownership.

Motioner and seconder accepted the amendment. Roll call vote 7-0.

2015 STREET RESURFACING PROJECT AND 2015 CONCRETE REPLACEMENT PROJECT

Mayor Muckle requested a staff presentation.

Public Works Director Kowar stated staff recommends City Council award contracts for the following projects:

- Via Appia resurfacing & related work; total project costs of \$1,951,297.
- Main Street resurfacing and related work; total project costs of \$359,029.
- Miscellaneous concrete work; total project costs of \$67,337.

- 611 Front Street parking lot expansion; total project costs of \$215,000.

Staff is working on the sequencing of the projects to lessen the impact on the downtown restaurants. The miscellaneous concrete work includes curbs, sidewalks that are not level, as well as parks and trail concrete improvements. The parking lot expansion involves miscellaneous work to achieve the development requirements with expectation of completion late summer or early fall. He noted this was a significant change and improvement from the approved budget and acknowledged Cherry Street was not on the arterial program but felt the funds were being used where they are most needed.

COUNCIL QUESTIONS

Council member Stolzmann asked if the Main Street resurfacing included brick leveling and noted the bricks needing leveling are not just on Main Street.

Public Works Director Kowar said yes brick leveling was included on Main Street and the other areas could be addressed as time and budget permits.

Council member Stolzmann suggested addressing the areas where there are tripping hazards.

Council member Keany asked if there was concern over only one paving bid. Public Works Director Kowar noted he is always concerned but noted this contractor has a good reputation and responded well in the past.

Council member Loo asked about the roads we are not going to do now but planning for future repair. City Manager Fleming noted the budget for 2016 to 2020 reflects those segments.

Mayor Muckle called for public comment and heard none.

MOTION: Mayor Muckle moved approval of the 2015 Street Resurfacing Project and the 2015 Concrete Replacement Project contracts. Council member Leh seconded. Roll Call Vote: Motion passed 7-0.

CONSTRUCTION SERVICES AGREEMENT WITH GLACIER CONSTRUCTION COMPANY FOR THE ELDORADO SPRINGS RAW WATER INTAKE

Mayor Muckle called for a staff presentation.

Public Works Director Kowar stated the City operates and maintains a raw water pipeline that serves as the primary conveyance facility for the City's water supply. The pipeline and intake facility were constructed in the 1950s and divert water from South Boulder Creek through the intake structure near Eldorado Springs. During the September 2013 flood, the intake structure and nearby support facilities sustained damage requiring temporary emergency repairs to restore operational functions.

In 2014, the City hired Merrick and Company (Merrick) to evaluate the existing facilities and design a permanent repair of the flood damage. The destroyed intake building will be moved from the floodway and brought into compliance with current building standards. In addition, the proposed project will improve operations by eliminating many of the staff intensive manual adjustments and cleaning performed on a daily basis. Design elements will reduce the amount of sediment and debris entering the system, improve flow measurement accuracy and prevent freezing and icing within the intake channel.

The City advertised for construction services in May of 2015 and received bids from 3 contractors. The bids were reviewed by Public Works staff as well as Merrick. Based on the qualifications and the second lowest bid, staff recommends award to Glacier Construction Company (Glacier). Glacier has a proven track record on projects of this size and complexity, as well as experience with all aspects of this scope. Colt & Steel, the low bidder, has been in business since October of 2013 and demonstrated only one project of similar size. Additionally, the low bidder did not demonstrate any previous projects of similar complexity that would involve all elements included in the scope of this agreement. Given the complexity of this project and the fact construction work must be of the highest quality to be resilient to future flood events in South Boulder Creek, staff recommends a more experienced and qualified contractor. A summary of the bids is listed below.

COMPANY	RAW WATER INTAKE ESTIMATE OF FEES
Colt and Steel	\$1,216,401
Glacier	\$1,359,526
Dietzler	\$1,382,540

Staff recommends approving a contract with Glacier in the amount of \$1,361,526 for reconstruction of the raw water intake in Eldorado Springs with a contingency of \$136,000 (10%) for a total construction cost of \$1,497,526. The contract amount is higher than Glacier's base bid by \$2,000 because one bid alternate item is included. Authorize the Mayor and City Clerk to sign and execute the contract documents on behalf of the City, all subject to the requirement that the notice of award and contract not be issued or signed until after the completion of a FEMA Project Worksheet and all other related documents to the satisfaction of all grant provisions. If the project is awarded prior the completion of these documents, the City will not be eligible for the Community Development Block Grant Disaster Recovery Funds.

COUNCIL COMMENT

Council member Stolzmann asked about the timing constraints with regard to reimbursement. Public Works Director Kowar noted things begin to expire towards next year but does not preclude extensions.

Mayor Muckle called for public comment.

PUBLIC COMMENT

The project manager for Glacier Construction thanked Council for the opportunity to complete this project.

COUNCIL COMMENT

Council member Stolzmann thanked the project manager from Glacier for attending. Realizing the time constraints on this project, she suggested the Water Committee weigh in on these projects in the future.

Public Works Director Kowar noted there had been conversation about the bids going through the Water Committee. Council member Lipton thought the Water Committee should look at the broad picture but felt the contracts could be approved by the City Manager and Council.

Council member Stolzmann noted the dollar amount had increased substantially and would have appreciated the Water Committee taking a look. Council member Lipton asked why the price had nearly doubled.

Public Works Director Kowar noted the \$750,000 was put in the budget as an estimate and then a million dollars was put in the Utility Rate Plan. The most recent budget amendment increased the best estimate for the construction contract to \$1.2 million which was short. The carry forward number was not the gross project number and he agreed staff could do a better job of providing the total project accounting.

City Manager Fleming stated much of the project cost here is expected to be reimbursed so the net contribution by the City will be less than originally budgeted.

MOTION: Mayor Muckle moved to approve the construction services agreement with Glacier Construction Company for the Eldorado Springs raw water intake. Council member Stolzmann seconded. Roll Call Vote: Motion passed 7-0.

ORDINANCE NO. 1695, SERIES 2015 – AN ORDINANCE APPROVING A LEASE PURCHASE AGREEMENT WITH ALPINE BANK FOR 145.89 KILOWATT CAPACITY OF COMMUNITY SOLAR WITH CLEAN ENERGY COLLECTIVE – 1ST Reading - Set Public Hearing 07/14/2015

Mayor Muckle called for a City Attorney introduction.

City Attorney Light introduced Ordinance No. 1695, Series 2015.

MOTION: Mayor Muckle moved to approve Ordinance No.1695 Series 2015 on first reading, ordered it published and set a public hearing for July 14, 2015, seconded by Council member Lipton. All were in favor.

CITY ATTORNEY'S REPORT

City Attorney Light noted the Governor signed Urban Renewal legislation which may have impact to the City. The Revitalization Commission will look at it to determine if there is impact on the current urban renewal program or items to be considered in the future.

In April Council passed Ordinance No.1683 approving a loan with Colorado Water Resources and Power Development Authority. City Attorney Light reported the loan closed with a final interest rate of 2.81 %.

COUNCIL COMMENTS, COMMITTEE REPORTS, AND IDENTIFICATION OF FUTURE AGENDA ITEMS

Council member Loo asked the urban renewal bill be reviewed to look at banks and refinancing of bonds. City Attorney Light agreed it would be looked at and how a refinancing might be affected.

Council member Leh recently attended his college 30 year reunion and heard a panel discussion on "Is Government Dysfunctional". He proudly noticed the things the panel suggested as solutions are already being done at the Louisville City Council.

ADJOURN

MOTION: Mayor Muckle moved for adjournment, seconded by Mayor Pro Tem Dalton. All were in favor. The meeting adjourned at 10:23 p.m.

Robert P. Muckle, Mayor

Carol Hanson, Deputy City Clerk